



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

May 12, 2008

Mr. Norman E. Riley
SSFL Project Director
California Department of Toxic
Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Re: Santa Susana Field Laboratory (SSFL)

Dear Norm:

I am writing to lay out the process we have agreed to follow based on recent conversations between EPA and CA EPA, and email correspondence from DTSC requesting that EPA participate in technical negotiations between Boeing, DTSC and CBG (the Parties) related to the implementation of recently enacted state law (Senate Bill 990) at the Santa Susana Field Laboratory (SSFL). We also understand that these discussions are part of larger negotiations between the Parties related to the implementation of the two memoranda of agreement signed by the State in October of 2007 and January 2008. It is still our understanding that if a final agreement between the Parties is reached, the cleanup of the SSFL facility would be conducted by the Boeing Company under DTSC oversight pursuant to its authority under California's state superfund law (California Health and Safety Code Division 20, Chapter 6.8).

In your email of April 29, 2008, you forwarded a Memorandum (dated April 4, 2008 entitled "Key Issues: Implementation of SB 990"). You also requested that EPA participate in discussions with the Parties concerning items 2, 5, 6, 8 and 9 of that memorandum.

As set out below, EPA can provide technical assistance to DTSC with respect to the memorandum items called out in your email of April 29, 2008. Specifically, EPA can discuss EPA's efforts, to date, to develop a Scope of Work (SOW) for a radiological survey of Area IV and the adjacent buffer zone. As part of this discussion, EPA can also discuss EPA's approach to developing site specific background values for radiological contaminants found at SSFL. EPA is also willing to use its best efforts to answer any questions concerning the meaning of portions of EPA guidance cited in the April 4 memorandum. But, after reviewing the April 4 memorandum, we feel that in order to best provide meaningful assistance, we need more detail as to your specific concerns about the points in the April 4 Memorandum. To help us better understand DTSC's request, we have attached to this letter a series of questions about these items which we would like to hear back from you all on the pre-meeting call this Wednesday, May 14.

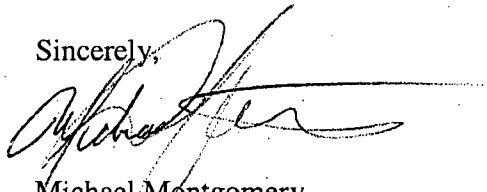
If the cleanup of SSFL is to be overseen by DTSC, decisions regarding risk assessment and risk management should be addressed in the meeting by your risk

assessors and toxicologists. EPA believes that DTSC should rely on DTSC toxicologists and risk assessors to provide their position on issues raised in the April 4 Memorandum. However, if DTSC's toxicologists and risk assessors have specific questions or issues regarding evaluation and assessment of radiological risks, EPA would be glad to respond, and/or participate in a meeting among the appropriate DTSC and EPA technical staff.

I also want to emphasize the limits of EPA's involvement in discussions with the Parties. EPA's role is solely one of providing technical assistance to DTSC. EPA is not a "party" to the negotiations, is not participating in a negotiating role, and EPA does not intend to be a signatory to any agreement between the Parties. Any technical assistance provided to DTSC is for the purpose of assisting DTSC in fulfilling its role under state law. EPA technical assistance to DTSC shall not be construed as a representation of what decisions, actions or process EPA would undertake if EPA were the lead agency conducting or overseeing the cleanup of SSFL under CERCLA and its implementing regulations. And to the extent that EPA's technical assistance to DTSC extends beyond a few meetings and/or causes EPA to incur significant costs, EPA expects to receive reimbursement for these costs.

As we have discussed, EPA has scheduled a pre-meeting with DTSC and Cal EPA for Wednesday, May 14 at 11am. EPA recognizes the significance and importance of everyone's efforts to ensure that the contamination at SSFL is appropriately remediated in order to protect human health and the environment. Please feel free to call me directly at (415) 972- 3438 to discuss this letter or the attached EPA questions.

Sincerely,



Michael Montgomery
Chief, Federal Facilities and
Site Cleanup Branch

Attachment